

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA
SOUTHERN DIVISION

JAMES DANIEL ALEXANDER, } Case No. 8:23-cv-00274-JFW-JDE
Plaintiff, } ORDER ACCEPTING FINDINGS
v. } AND RECOMMENDATIONS OF
JERRY BROWN, et al., } UNITED STATES MAGISTRATE
Defendants. } JUDGES

Pursuant to 28 U.S.C. § 636, the Court has reviewed the records on file, including the operative First Amended Complaint (Dkt. 112) filed by James Daniel Alexander (“Plaintiff”) against Jerry Brown (“Brown”), Kathleen Allison (“Allison”), Jeffrey A. Beard (“Beard”), Scott Kernan (“Kernan”), Ralph Diaz (“Diaz”), Jennifer Shaffer (“Shaffer”), Kevin Stripling (“Stripling”), M. D. Stainer (“Stainer”), M. Voong (“Voong”), G. Murphy (“Murphy”), Raymond Madden (“Madden”), J. Gastelo (“Gastelo”), P. Denny (“Denny”), R. Gibson (“Gibson”), M. Denby (“Denby”), L. Chauncey (“Chauncy”), T. Nelson (“Nelson”), D. Robinson (“Robinson”), D. Don (“Don”), C. Azevedo (“Azevedo”), L. Martinez (“Martinez”), S. Hopkins (“Hopkins”), the United States, the State of California, and Does 1-48; the July

1, 2024 Report and Recommendation of the previously assigned magistrate
judge recommending the dismissal without prejudice of Brown, Gibson,
Nelson, and Don (Dkt. 125, "July Report"); Plaintiff's Objections and
Amended Objections to the July Report (Dkt. 127-128); the Motion to Dismiss
filed by the United States (Dkt. 129, "US Motion"); the January 10, 2025
Report and Recommendation of the previously assigned magistrate judge
recommending that the US Motion be granted and the United States be
dismissed with prejudice (Dkt. 156, "January Report"); the Order Accepting
the January 2025 Report (Dkt. 161); the Motion to Dismiss filed by Murphy,
Beard, Gastelo, Shaffer, Allison, Stripling, Chauncey, Martinez, Denby,
Voong, Stainer, Diaz, Madden, Hopkins, Denny, Kernan, Robinson, and
Azevedo (Dkt. 141, "Individual Defendants' Motion"); Plaintiff's Opposition
(Dkt. 152); the Reply brief filed in support of the Individual Defendants'
Motion (Dkt. 155); and the August 27, 2025 Report and Recommendation of
the assigned magistrate judge (Dkt. 164, "August Report"). Plaintiff did not
file a timely objection to the August Report or timely seek additional time to
do so. The Court has engaged in a de novo review of those portions of the July
Report to which objections have been made. The Court accepts the findings
and recommendations of the magistrate judge.

Therefore, IT IS HEREBY ORDERED that:

1. the July Report (Dkt. 125) and August Report (Dkt. 164) are approved and accepted;
2. Brown, Gibson, Nelson, and Don are dismissed without prejudice;
3. the Individual Defendants' Motion to Dismiss (Dkt. 141) is GRANTED;
4. all Section 1983 claims against Allison, Beard, Kernan, Diaz, Shaffer, Stripling, Stainer, Voong, Murphy, Madden, Gastelo, Denny, Denby,

1 Chauncey, Robinson, Azevedo, Martinez, and Hopkins are dismissed with
2 prejudice;

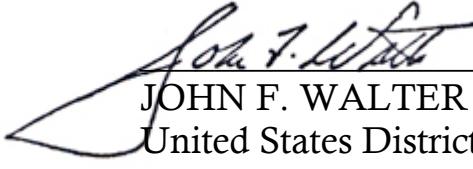
3 5. the Section 1983 claim against the State of California is dismissed
4 without prejudice;

5 6. all state law claims against Allison, Beard, Kernan, Diaz, Shaffer,
6 Stripling, Stainer, Voong, Murphy, Madden, Gastelo, Denny, Denby,
7 Chauncey, Robinson, Azevedo, Martinez, and Hopkins are dismissed without
8 prejudice to seeking relief in state court;

9 7. all Doe defendants are dismissed without prejudice; and

10 8. Judgment shall be entered dismissing this action without further
11 leave to amend.

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14 Dated: September 16, 2025


15 JOHN F. WALTER
16 United States District Judge

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